

## Hammer, Edward

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**From:** Minahan, Kristi L - DNR <Kristi.Minahan@wisconsin.gov>  
**Sent:** Wednesday, August 30, 2017 3:09 PM  
**To:** Pfeifer, David; Hammer, Edward; Anson, Robie; Hemken, Meghan; Keclik, Donna  
**Subject:** your availability? Excellent Tier, impairment listings, permit impacts

Hi folks. I'd like to do another conf call with you to follow up on our recent discussion about Excellent Tier & how a decline from Exc Tier might impact permittees. I've put together a couple of tables which lay out the sequence of events in listing, doing an SSC, etc, and what might happen to a P or temp permit at each stage. Do you happen to be available this Friday (any time, but 10-11 is not preferred for us but is doable), or Wed Sept 6 from 11-12 or 3-5? Could one of you compare everyone's calendars & give me a compiled list of who's available those times? We don't necessarily have to have everyone at this mtg.

**Donna,** I'm hoping you can join us because one of our main questions is about the timing/sequence of impairment listing for a stressor. Say we have a waterbody that attains the P criterion, but does not attain a biocriterion (fish, bug...but we're not talking about 'combined nutrient criteria' here, just general biological indicators). We list it as impaired for degraded biology, with pollutant unknown. We then do a source ID study & determine that P is the cause. At that point, do we have to list the pollutant as P even though it's still attaining the criterion? Or would we be able to wait on listing until (if/when) we get an approved more-stringent site-specific criterion for P (which it is now exceeding) before listing for P? And I suppose a follow-up question is: if P is listed as the pollutant even though the criterion is met, then would a TMDL be needed there? I'm assuming we'd have to do an SSC before (or concurrent with) any TMDL.  
Kristi

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### **Kristi Minahan**

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